

Report Date: December 11, 2018

United States District Court

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Eastern District of Washington

DEC 12 2018

Petition for Warrant or Summons for Offender Under Supervision

SEAN F. MCAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Jose Luis Mendoza-Castaneda

Case Number: 0980 1:17CR02003-LRS-1

Address of Offender: Yakima County Jail

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 26, 2017

Original Offense: Alien in the United States After Deportation, 8 U.S.C. § 1326(a)(1), (b)(1)

Original Sentence: Prison - 5 months; TSR - 36 months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Richard Cassidy Burson

Date Supervision Commenced: 05/15/2017

Defense Attorney: Jeffrey Dahlberg

Date Supervision Expires: 05/14/2020

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1

Special Condition #1: You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: On or about October 8, 2018, Mr. Mendoza-Castaneda entered the United States without legal permission from the United States Attorney General or his designee.

On October 8, 2018, Mr. Mendoza-Castaneda was arrested by the Yakima City Police Department (YPD) and charged with driving under the influence and third degree driving while license suspended.

On October 9, 2018, an agent with Immigration and Customs Enforcement (ICE) found Mr. Mendoza-Castaneda to be in custody at the Yakima County Jail and that a search of ICE records revealed no evidence of his requesting nor being granted permission to reenter the United States.

Re: Mendoza-Castaneda, Jose Luis

December 11, 2018

Page 2

On November 16, 2018, the Honorable Mary K. Dimke issued a warrant for Mr. Mendoza-Castaneda's arrest based on a criminal complaint for reentry of a deported alien filed by an agent with ICE.

On November 30, 2018, Mr. Mendoza-Castaneda was arrested by an agent with ICE and made an initial appearance before the Honorable Mary K. Dimke and was ordered detained. Mr. Mendoza-Castaneda was transported to the Yakima County Jail where he currently resides.

2 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: On October 8, 2018, Mr. Mendoza-Castaneda was arrested by the Yakima City Police Department (YPD) and charged with driving under the influence (DUI) and third degree driving while license suspended.

On November 5, 2018, Mr. Mendoza-Castaneda was sentenced on the DUI conviction in Yakima Municipal Court in Yakima, Washington. He was sentenced to 364 days in jail with 344 days suspended, 5 years of probation, a \$5,000 fine with \$3,754 suspended, and \$100 fee. The third degree driving while license suspended was dismissed with prejudice.

3 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: On November 16, 2018, a criminal complaint for reentry of a deported alien was filed by an agent with Immigration and Customs Enforcement (ICE) against Mr. Mendoza-Castaneda, U.S. District Court case number 1:18CR02073-SAB-1.

On October 9, 2018, an agent with Immigration and Customs Enforcement (ICE) found Mr. Mendoza-Castaneda to be in custody at the Yakima County Jail and that a search of ICE records revealed no evidence of his requesting nor being granted permission to reenter the United States.

On November 30, 2018, Mr. Mendoza-Castaneda made an initial appearance before the Honorable Mary K. Dimke, U.S. Magistrate Judge in Yakima, Washington, and was ordered detained. Mr. Mendoza-Castaneda is currently scheduled to appear before the Court for an arraignment on December 12, 2018 at 10 a.m.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 11, 2018

s/Jonathan Barcom

Jonathan Barcom
U.S. Probation Officer

Re: Mendoza-Castaneda, Jose Luis

December 11, 2018

Page 3

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date